

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

OLANIYI NASIRU OJIKUTU

No. 18 CR 818-10

Judge John Robert Blakey

PRELIMINARY ORDER OF FORFEITURE

This cause comes before the Court on motion of the United States Attorney for entry of a preliminary order of forfeiture as to specific property pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, and the Court being fully informed hereby finds as follows:

(a) On May 16, 2019, an indictment was returned charging OLANIYI NASIRU OJIKUTU and others with wire fraud, in violation of Title 18, United States Code, Section 1343 (Counts Ten through Twelve), among other violations. The indictment sought forfeiture to the United States, in Forfeiture Allegation One, of any and all right, title and interest the defendant may have in any property which constitutes and is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), including but not limited to a personal money judgment in the amount of at least \$4,733,097.12.

(b) On July 5, 2022, pursuant to Fed. R. Crim. P. 11, defendant OLANIYI NASIRU OJIKUTU entered a voluntary plea of guilty to Count Ten of the indictment.

Pursuant to the terms of the plea agreement and as a result of his violation of Title 18, United States Code, Section 1343, defendant OLANIYI NASIRU OJIKUTU agreed to the entry of a personal money judgment in the amount of approximately \$3,431,183.24, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which represents the total amount of proceeds traceable to the actions of defendant's and others' role in the offense.

(c) Pursuant to Fed. R. Crim. P. 32.2(b)(2)(B), unless doing so is impractical, the court must enter the preliminary order of forfeiture sufficiently in advance of sentencing to allow the parties to suggest revisions or modifications before the order becomes final as to the defendant at sentencing.

(d) In accordance with this provision, the United States requested that this Court enter a personal money judgment in the amount of \$3,431,183.24 against defendant OLANIYI NASIRU OJIKUTU, and further enter a preliminary order of forfeiture pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), forfeiting all right, title, and interest defendant OLANIYI NASIRU OJIKUTU has in the funds in the amount of \$3,431,183.24 subject to forfeiture.

(e) Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, the United States requested that the terms and conditions of this preliminary order of forfeiture be made part of the sentence imposed against defendant OLANIYI NASIRU OJIKUTU

and included in any judgment and commitment order entered in this case against him.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. A judgment is entered against defendant OLANIYI NASIRU OJIKUTU in the amount of \$3,431,183.24. It is further ordered,

2. That, pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, all right, title, and interest defendant OLANIYI NASIRU OJIKUTU may have in funds in the amount of \$3,431,183.24 is hereby forfeited to the United States of America for disposition according to law. It is further ordered,

3. That, by an act or omission on the part of defendant OLANIYI NASIRU OJIKUTU, funds in the amount of \$3,431,183.24 cannot be located to satisfy the forfeiture judgment, pursuant to the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the United States has the authority to forfeit substitute assets up to the amount of \$3,431,183.24 to satisfy the personal money judgment entered by this Court. It is further ordered,

4. That, pursuant to Title 21, United States Code, Section 853, as incorporated Title 28, United States Code, Section 2461(c), and Subdivision(b)(3) of Rule 32.2 of the Federal Rules of Criminal Procedure, upon entry of this preliminary order of forfeiture, the Court hereby authorizes the Attorney General or his designated representatives to conduct discovery to identify or locate property subject

to forfeiture, including substitute assets, and to seize property ordered forfeited upon such terms and conditions as set forth by the Court. It is further ordered,

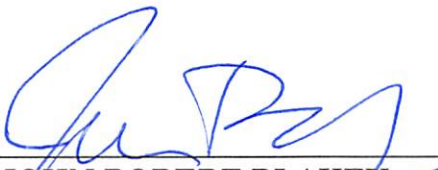
5. That, should assets become available to satisfy the personal money judgment in the future, the United States shall at that time file a motion for substitution of assets before this Court requesting permission to seize such assets and publish notice of the United States' intent to forfeit the property in satisfaction of the personal money judgment according to law. It is further ordered,

6. That, the terms and conditions of this preliminary order of forfeiture are part of the sentence imposed against defendant OLANIYI NASIRU OJIKUTU and shall be made part of any judgment and commitment order entered in this case against him. It is further ordered,

7. That, this court shall retain jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this forfeiture order.

DATED:

2/13/23



JOHN ROBERT BLAKEY
United States District Judge